

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 21

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

---

Ex parte KATY DRIEU

---

Appeal No. 2002-2228  
Application No. 09/555,906

---

**MAILED**

**SEP 24 2002**

**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**ORDER REMANDING TO EXAMINER**

---

A Reply Brief was filed August 12, 2002, in response to the Examiner's Answer entered June 18, 2002 (Paper No. 18) . The Manual of Examining Procedure § 1208.04 (August 2001) states:

The examiner should notify appellant of consideration of the reply brief by using form paragraph 12.47.

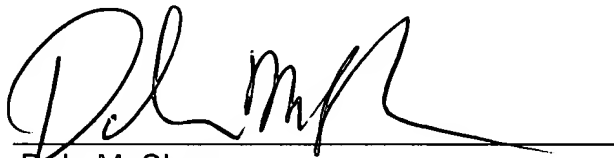
Additionally, the Reply Brief needs to be assigned a paper number and needs to be entered on the CONTENTS portion of the administrative file.

Accordingly, it is

**ORDERED** that the application is remanded to the Examiner for consideration of the Reply Brief, written notification to appellants as to the entry status, assignment of a paper number, entry in the CONTENTS portion of the administrative file, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', written over a horizontal line.

Dale M. Shaw  
Program and Resource Administrator  
(703) 308-9797

dem



Appeal No. 2002-2228  
Application No. 09/555,906

Page 3

Charles A. Muserlian  
Bierman, Muserlian and Lucas  
600 Third Avenue  
New York, NY 10016